

Council Chambers, Municipal Building, Baraboo, Wisconsin
Tuesday, November 12, 2019 – 7:00 p.m.

Mayor Palm called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Plautz, Vacant, Petty, Ellington, Kierzek, Thurow

Council Members Absent: Alt

Others Present: Chief Schauf, Clerk Zeman, Adm. Geick, Atty. Truman, M. Hardy, T. Pinion, K. Stieve, W. Peterson, K. Downing, Tracy Hameau, members of the press and others.

The Pledge of Allegiance was given.

Moved by Wedekind, seconded by Kolb and carried to approve the minutes of October 22, 2019.

Moved by Ellington, seconded by Petty and carried to approve the agenda.

Compliance with the Open Meeting Law was noted.

PRESENTATIONS – *None.*

PUBLIC HEARINGS The Mayor announced that this is the published date and time to hear public comment concerning:

- Approval of amending §17.28 of the Code of Ordinances to regulate Permitted Uses and Conditional Uses in that B-2 Neighborhood Business District.

Atty. Truman noted that the Plan Commission has recently reviewed the permitted uses and conditional uses allowed in the neighborhood business districts. These districts are scattered throughout the City, in primarily residential districts. The Plan Commission felt that some of these were not appropriate for residential districts; they recommend removing these.

No one spoke and the Mayor closed the Public Hearing

- City of Baraboo's Community Development Block Grant CLOSE Public Facilities (CDBG CLOSE-PF) program grant funds for the reconstruction of Lake Street.

City Engineer T. Pinion noted that this Public Hearing is a requisite condition of receiving the Community Development Block Grant CLOSE Public Facilities program for the reconstruction of Lake Street. This public hearing is an opportunity for residents to let us know what they thought about this particular CDBG program.

No one spoke and the Mayor closed the Public Hearing.

PUBLIC INVITED TO SPEAK - *No one spoke.*

MAYOR'S BUSINESS

The Mayor announced the resignation of Alderperson Scott Sloan and the succession plan. He will be accepting letters of interest until November 22, 2019 for the term ending April 21, 2020.

CONSENT AGENDA

Resolution No. 19-111

THAT the Accounts Payable, in the amount of \$1,330,241.69 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

Resolution No. 19-112

THAT the following budget amendments are authorized:

- 3rd Quarter, 2019 City-Wide Budget Amendments for \$390,087
- 3rd Quarter, 2019 Utility Budget Amendment for \$3,380

City of Baraboo**2019 3rd Quarter Budget Amendments**

Common Council approved the following 2019 Budget Amendments at their **November 12, 2019** meeting:

Department	Account Number	Account Name	Original Budget	Increase/ (Decrease)	Amended Budget
Parks	100-52-46810-000	Timber Sales	3,330	732	4,062
ROW - Trees	100-52-53370-377-000	Trees, Seed, Sod	4,370	732	5,102
<i>To appropriate proceeds from timber sales for ROW trees</i>					
Fire	100-21-49310-000	Fund Balance Applied_Donations	1,542	3,400	4,942
Fire Protection	100-21-52200-346-400	Uniforms - Designated	5,360	3,400	8,760
<i>To appropriate restricted funds for cancer prevention hoods</i>					
General Government	430-10-49300-000	Fund Balance Applied	1,823,823	5,356	1,829,179
PS/Admin Building	430-11-59292-900-000	Cost Allocation	-	5,356	5,356
<i>To appropriate fund balance for display case at City Hall</i>					
Police	100-20-48500-400	Donations - Designated	-	222	222
Police	100-20-48500-480	Donations-Designate Prop/Equip	-	128	128
Police	100-20-49310-000	Fund Balance Applied-Desig	7,500	301	7,801
Police Department	100-20-52110-390-400	Other Supp & Exp - Designated	-	222	222
Police Department	100-20-52110-392-480	Small Equipment-Designated	-	429	429
<i>To appropriate restricted funds for PD supplies and small equipment</i>					
Fire	100-21-48500-400	Donations - Designated	3,818	1,661	5,479
Fire	100-21-49310-000	Fund Balance Applied_Donations	3,216	2,565	5,781
Fire Protection	100-21-52200-320-400	Pubs. Training. Dues - Designa	-	119	119
Fire Protection	100-21-52200-340-400	Operating - Designated	-	466	466
Fire Protection	100-21-52200-390-400	Other Exp - Designated	-	27	27
Fire Protection	100-21-52200-392-400	Small Equipment - Designated	-	3,614	3,614
<i>To appropriate restricted funds for FD supplies and small equipment</i>					
CDA General Expense	988-67-49300-000	Fund Balance Applied	-	105,000	105,000
General	100-10-49298-800	Transfer from TIF Incentive			105,000

Government			-	105,000	
General					
Government	100-10-43610-630	Payment for Municipal Services	89,425	127,000	216,425
CDA Property					
Additions	988-67-91150-900-000	Transfer to Primary Government	-	105,000	105,000
New Streets -					
Aidable	100-30-57330-821-000	Land or Land Improvements	-	105,000	105,000
New Streets -					
Aidable	100-30-57330-821-000	Land or Land Improvements	-	127,000	127,000
<i>To appropriate funds for Lake Street Project and Broadway&Washington Project Overrun</i>					
Police	100-20-48500-400	Donations - Designated	222	1,978	2,200
Police	100-20-49310-000	Fund Balance Applied-Desig	7,801	2,062	9,863
Police Department	100-20-52110-392-400	Small Equipment-Donations	-	4,040	4,040
<i>To appropriate funds for FB ERT helmets</i>					
Recreation	100-53-46750-231	Swimming Pool - Water Aerobics	2,700	275	2,975
Pool	100-53-55420-215-231	Prof Services - Water Aerobics	1,400	275	1,675
<i>To appropriate water aerobic revenue to instructor expense</i>					
Fire	420-21-49300-000	Fund Balance Applied	-	17,000	17,000
Police	490-20-48300-000	Sale of Assets	-	17,000	17,000
Fire Protection	420-21-52200-810-000	Vehicle Purchase	50,000	17,000	67,000
Police Department	490-20-52110-810-000	Vehicle Purchase	-	17,000	17,000
<i>To appropriate restricted funds for 2014 F150 from PD for Inspector</i>					
General					
Government	100-10-48400-000	Insurance Recoveries	-	407	407
Fire Protection	100-21-52200-346-000	Uniforms	22,520	407	22,927
<i>To appropriate insurance proceeds for bunker pants</i>					

City of Baraboo

Utilities

3rd Quarter Budget Amendments

Budgetary Transfers

Water Utility

Department	Account Number	Account Name	Original Budget	Change	Amended Budget
Source of Funds: Reduction in Other Appropriation within Same Fund					
Water Injuries and Damages	970-37-92500-510-000	Insurance	19,317.00	(3,380.00)	15,937.00
				<u>\$ (3,380.00)</u>	
Use of Funds					

Water Trans & Dist Expenses	970-37-66200-510-000	Insurance	757.00	45.00	802.00
Water Maintenance of Hydrants	970-37-67700-241-000	Repair & Maint Serv-Hydrants	17,250.00	3,265.00	20,515.00
Water Property Insurance	970-37-92400-510-000	Insurance	6,516.00	70.00	6,586.00
					<u>\$ 3,380.00</u>

Transfer funds to cover budget overages

Resolution No. 19-113

THAT the Mayor is hereby authorized to apply for the 2020 WisDOT Public Transit Assistance Program (PTAP) funding offered by the Federal and State for the City of Baraboo, and

THAT the Mayor is hereby authorized to apply for the 2020 Federal Section 5311 Operating and Capital (Formula Grants for Rural Areas) for the City of Baraboo, and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the appropriate contracts on behalf of the City if the applications are approved.

Resolution No. 19-114

THAT the Mayor is hereby authorized to apply for the 2019 FTA Section 5339(b) Discretionary Application funding offered by WisDOT for the City of Baraboo, and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute the appropriate contracts on behalf of the City if the applications are approved.

Resolution No. 19-115

THAT, Carolyn Wastlund and Cliff Bobholz be re-appointed to the Community Development Authority serving until November 14, 2022.

Resolution No. 19-116

THAT, Ald. Heather Kierzek be appointed to the Baraboo District Ambulance Commission, serving until April 21, 2020.

THAT, Ald. Tom Kolb be appointed to the Business Improvement District (BID) Board serving until April 21, 2020.

Resolution No. 19-117

THAT the City Clerk be authorized to issue the following Liquor Licenses:

Liquor License, as amended:

- Brother's On Oak

Picnic License

- Sauk County Historical Society, 12-13-2019

Resolution No. 19-118

THAT the City Clerk be authorized to issue the following Operator's Licenses:

- Judith Tangney, Square Tavern (NEW)
- Dustin Fuller, Casey's General Store (NEW)

- Thomas Bowen, Broadway Diner (NEW)
- Charlene Flygt, Al Ringling Theatre (NEW)
- Becky Young, Log Cabin (NEW)
- Jennifer Thomas, Pierce's Express Market (NEW)
- Tennille O'Leary, Con Amici (NEW)
- Garrett Sitas, Broadway Diner (NEW)
- Michelle Deyo, Poor Richards (RENEWAL)
- Delana Smith, Get N Go (RENEWAL)
- Kiranpal Kaur, Get N Go (RENEWAL)
- Zackary Vanderhoof, Get N Go (RENEWAL)

Moved by Wedekind, seconded by Kolb and carried that the Consent Agenda be approved-7 ayes.

COMMITTEE OF THE WHOLE

Moved by Kolb, seconded by Ellington to convene as a Committee of the Whole to discuss the Preliminary FY 2020 Budget.

C. Haggard presented the 2020 budget and noted that the preliminary budget shortfall has been resolved; the budget is now balanced.

Moved by Wedekind, seconded by Petty to reconvene into regular session.

Ald. Kolb stated that the increase from \$27 to \$30 per capita for the Baraboo District Ambulance was a bit suspect to him when all of the other departments were held to a 1% increase; BDAS submitted a 25% increase. The City will be the hardest hit with this increase as we have 67% of the ambulance and this really affects our levy. The state sets a levy limit for the municipality and he feels that the ambulance service should be subject to some parameters as well.

Moved by Kolb, seconded by Ellington to approve the budget at the \$30 per capita level but we only give BDAS budgeting at the \$27 per capita level until we have the results from the financial audit; the difference to be kept in the City's contingency fund until a final decision.

Ald. Petty feels it is an error to do this. 3 representatives from the City unanimously agreed with the rural commission members to do the raise. Part of this increase was to build up the reserve funds as the BDAS does have some financial concerns. The other issue is the vehicle replacement fund and the lack of money allocated from the budget for an ambulance replacement. We have given the BDAS our word that we are going to hold ourselves to the \$30 and he would not support anything less than that. The decision for this increase came after much discussion.

Ald. Plautz also does not support this. He feels it does not include money for vehicle replacement. When he was on the ambulance commission, they were accused of financial mismanagement. The City reduced the per capita rate, which caused the ambulance to not have the money to put into the vehicle replacement fund. He is concerned that a possible lawsuit will be filled against the City of Baraboo if one of the older ambulances breaks down while transporting a patient. We have to honor the agreement we reached with the ambulance service and not go back on our word or our word becomes meaningless.

Motion to approve the budget at the \$30 per capita level but we only give BDAS budgeting at the \$27 per capita level until we have the results from the financial audit; the difference to be kept in the City's contingency fund until a final decision carried. 5 Ayes; 2 Nays, Plautz, Petty

ORDINANCES ON 2ND READING

Moved by Wedekind, seconded by Ellington and carried to approve the 2nd reading of **Ordinance No. 2535** creating a Street Light System Charge. 6 Ayes; 1 Nay, Plautz

Moved by Wedekind, seconded by Kolb and carried to approve the 2nd reading of **Ordinance No. 2536** creating a Vehicle Registration Fee. 6 Ayes; 1 Nay, Plautz

Moved by Petty, seconded by Wedekind to approve the 2nd reading of **Ordinance No. 2537** amending Section 2.08 of the Baraboo Municipal Code to create a base salary for Alderperson's of \$400/month. Motion Failed. 1 Aye, Petty; 6 Nays

NEW BUSINESS - RESOLUTIONS

Resolution No. 19-119

THAT the Mayor shall be hereby authorized to execute a lease with Tim Johnson, d/b/a Cedar View Farms, Inc. for the 60-acres of tillable land on the former Jackson property for the term of January 01, 2020 to December 31, 2022 at a base price of \$9,600 (60 acres x \$160 per acre) in accordance with the terms and conditions contained in the attached Land Lease agreement.

Moved by Kolb, seconded by Ellington and carried that **Resolution No. 19-119** be approved-7 ayes.

Resolution No. 19-120

Whereas, the Common Council of the City of Baraboo has created a Business Improvement District (BID) for the City of Baraboo, and;

Whereas, the BID has submitted an operating plan for the BID for 2020 and;

Whereas, the Operating Plan for the BID proposes that the implementation of the Plan be funded through a special assessment upon all properties within the BID boundaries to the extent that those properties are not exempt from the general property tax, except real property used exclusively for residential purposes. The assessment shall be based on the equalized value of property in the BID and the proposed assessment shall be \$1.5963838 of \$1000 of assessed value.

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

That the BID operating plan is accepted.

That said Council intends to levy and collect an assessment upon all business, manufacturing and mixed business and residential property in the BID, as follows:

- The purpose of the assessment is to fund the BID Operating Plan for the calendar year 2020
- The limits of the proposed assessment district are as follows:
 - “The centerline of 1st Street and 1st Avenue on the South; the centerline of Birch Street on the West, the centerline of the alley running East and West between 6th and 7th Avenue on the North; and a line running North and South through the center of Block 12,13,24,25,36 and 37 of the Plat of the City of Baraboo, formerly Adams, on the East.”
- The proposed assessment is for calendar year 2020.
- The proposed assessment shall be paid in one installment.
- The proposed assessment shall be on all properties within the BID boundaries to the extent that those properties are not exempt from the general property tax, except real property used exclusively for residential purposes. The date for determining eligibility for exemption from this BID assessment shall be January 1 of the year of the adoption of the Final Resolution by the City Council.
- The amount of the proposed assessment is \$1.60 per \$1000 of value of said property based on the

2019 tax roll assessment.

- The proposed assessments shall be due the first day of March 2020 which is the first day of the second month following adoption by the City Council of a resolution levying assessments. Those assessments not paid by that date shall become delinquent as per Section 66.60(15) of the Wis. Stats.

BE IT FURTHER RESOLVED that a public hearing to hear public comment concerning BID Assessments will be held on November 26, 2019 at 7:00 p.m. in the Council Chambers. The City Clerk is directed to properly notice all property owners within the BID of the public hearing and proposed assessment.

Moved by Kolb, seconded by Plautz and carried that **Resolution No. 19-120** be approved-7 ayes.

Resolution No. 19-121

THAT the Common Council hereby authorizes the Mayor and City Clerk to execute a one-year lease agreement with Tracy and Anthony Hameau for their use of the west portion of the City-owned building located at 135 4th Street for a retail establishment that sells specialty food and gifts to the public.

Moved by Wedekind, seconded by Petty and carried that **Resolution No. 19-121** be approved-7 ayes.

Resolution No. 19-122

To authorize the City Administrator to negotiate with Sauk Co. for exchange of City land in the West Square Building parking lot with conditions on the terms of such an exchange and to bring the results back to the City Council.

Moved by Ellington, seconded by Kolb and carried that **Resolution No. 19-122** be approved-7 ayes.

Resolution No. 19-123

THAT an additional \$3,800 be allocated from the Parks Segregated Fund to be used for completion of the beaver exhibit at the Ochsner Park Zoo in 2019.

Moved by Petty, seconded by Wedekind and carried that **Resolution No. 19-123** be approved-7 ayes.

Resolution No. 19-124

THAT the Common Council hereby authorizes the Mayor to execute a letter giving approval for the City of Baraboo to accept grant funding, performance obligations, and future maintenance and operations requirements as stated under the Outdoor Recreation Aids Grant Contract signed by the Village of West Baraboo on July 2, 2018, and

THAT the Common Council hereby authorizes the Mayor and City Clerk to execute the DNR's corresponding grant assignment documents, and

THAT the Common Council hereby directs the City Clerk or designee to record the fully executed assignment documents along with the original grant contract with the Sauk County Register of Deeds post construction of the kayak launch.

Moved by Petty, seconded by Kolb and carried that **Resolution No. 19-24** be approved-7 ayes.

NEW BUSINESS - ORDINANCES

Moved by Wedekind, seconded by Kolb and carried unanimously to approve the 1st reading of

Ordinance No. 2538 revising permitted and conditional uses in a B-2 Neighborhood Business zoning district.

An Ordinance amending §17.28 of the City of Baraboo Code of Ordinances to regulate Permitted Uses and Conditional Uses in the B-2 Neighborhood Business District.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO
ORDAIN AS FOLLOWS:

**17.28 B-2 NEIGHBORHOOD
BUSINESS DISTRICT.** (2514
03/12/19)

- (1) **PURPOSE.** The B-2 Neighborhood Business District is established to provide for sewerage commercial activities having minimal visual and physical impacts on neighboring residences. These impacts include off-street parking, traffic flow and hazards, odors, hours of operation, and quality of life.

(2) **PRINCIPAL PERMITTED USES.**

- (a) Bed and Breakfast establishments.
- (am) Pet Grooming.
- (b) Cemeteries, crematoriums, and funeral homes.
- (c) Churches.
- (d) Colleges or universities.
- (e) Community living arrangements.
- (g) Eating establishments (TYPE 1).
- (h) Florists.
- (i) Funeral homes.
- (j) Hospitals, nursing homes.
- (k) Libraries.
- (l) Museums.
- (m) Neighborhood community centers.
- (n) Nursery, elementary and secondary schools, whether public, private or parochial.
- (o) Parks or playgrounds.
- (p) Professional Offices.
- (q) Residential units above B-2 businesses.
- (r) Clinics.
- (s) Beauty shops, barber shops and accessory uses such as

manicuring and tanning beds.

- (t) Tanning salons.
- (u) Paint, glass, wallpaper stores.
- (v) Electrical supply and repair shops.

- (x) Cabinet shops.
- (y) Glass shops.
- (z) Travel Agencies.

(aa) Bakeries.

(ab) Bicycle shops (sales and repairs).

(ac) Gift shops.

(ad) Hobby shops.

(ae) Photographic equipment/supply stores.

(ace) Pet Grooming.

(ag) Plumbing, fixture and supply stores, not including outdoor storage.

(ai) Business offices and services.

(aj) Photographic studios.

(ak) Real estate offices.

(al) Caterers.

(3) **ACCESSORY USES.**

(a) Essential services.

(b) Gazebos.

(c) Parking areas directly related to the business.

(d) Satellite dish antennas.

(e) Swimming pools with accessory structure.

(4) **CONDITIONAL USES.**(2509
02/26/19)

(a) Club houses or lodges.

(b) Commercial greenhouses.

(c) Copy shop.

- | | |
|---|--|
| <ul style="list-style-type: none"> (d) Gift shops. (e) Group development, limited to Offices and Condominium developments only. (f) Home occupations. (h) Locksmiths. (i) Professional offices. (j) Shoe repair shops. (k) Tailors and dressmakers. (m) Eating establishments - TYPE 1 with drive-thru and/or pickup services. (n) Credit agencies. (o) Credit reporting and collection establishments. (p) Financial institutions. (q) Public administration facilities. (r) Tax return preparation establishments. | <ul style="list-style-type: none"> (s) U.S. Postal Offices. (t) Antique and collector stores. (v) Janitorial supplies. (w) Locksmiths. (x) Music stores. (y) Office equipment and supply stores. (z) Radio/TV repair shops. (aa) Sporting and athletic good stores. (ab) Video rental stores. (ac) Optical stores. (ad) Delicatessens. (ae) Civic, social and fraternal associations. (af) Schools (professional, business, technical). (ag) Reserved. |
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This Ordinance shall take effect upon passage and publication as provided by law.

ADMINISTRATOR AND COUNCIL COMMENTS

Ald. Ellington noted that the stock funding the \$2.5M library donation was sold; a check was received today for \$2,650,000.

Ald. Petty thanked former Alderperson Scott Sloan for his 6 years of service and the exceptional job he did.

REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- **Reports:** Fire Dept. – September & October 2019
 Airport – October 2019
 Building Inspection – October 2019
 Review of the Fire Dept. Report, Village and Towns Budget
- **Minutes from the Following Meetings:**

Finance/Personnel Committee – Dennis Thurow Committee Room, #205

October 22, 2019

Members Present: Petty, Thurow, Sloan

Absent:

Others Present: Mayor Palm, Adm. Geick, E. Truman, B. Zeman, C. Haggard, M. Hardy, K. Stieve, T. Pinion, L. Laux, Dawn Gunderson, David Dahlke, Rob Nelson, Kilton Holmes

Call to Order –Ald. Petty called the meeting to order at 6:00 p.m. noting compliance with the Open Meeting Law. Moved by Sloan, seconded by Thurow to approve the minutes of October 8, 2019 and carried unanimously. Moved by Sloan, seconded by Thurow to approve the agenda and carried unanimously.

Action Items

- a) **Accounts Payable** – Moved by Sloan seconded by Thurow to recommend to Council for approval of the accounts payable for **\$229,223.18**. Motion carried unanimously.
- b) **Approve an Inclusion Policy for Parks, Recreation and Forestry Department Facilities and Programs** M. Hardy explained that this policy is to make sure that all community groups are involved, not only participating in our activities but also helping to ensure that we have facilities and programs that are able to be reached by all members of the community. This will include an inclusion advisory group that will be able to help us better understand what groups might be missing. Moved by Sloan, seconded by Thurow to recommend to Council for action. Motion carried unanimously.
- c) **Approve a contract for \$19,100 with Dirt Monkey Excavating for the demolition of the old waterworks garage in Maxwell-Potter Conservancy, with the additional funds over budget (\$6,690) allocated from the Park Impact Land Improvement Fund** M. Hardy noted that the removal of this building was included in this year's budget; however, because the bids received were more than the expected, he is requesting to use money from the Park Impact Fund. This money was designated for the parking lot and will allow them to remove the building yet this fall. Because the Utilities has a project planned for next year that has to get across the river, under this site, the paving for this parking lot will be done next year. Moved by Sloan, seconded by Thurow to recommend to Council for action. Motion carried unanimously.
- d) **Approve funds from the Alma Waite Fund for the fiscal year 2020 totaling \$19,000** The Committee reviewed the requests made for Alma Waite funds. Adm. Geick noted that the contribution for the Concerts on the Square is included again for 2020. Moved by Sloan, seconded by Thurow to recommend to Council for action. Motion carried unanimously.
- e) **Approve the Vehicle Registration Fee Ordinance** Atty. Truman offered a draft ordinance as requested at the last Council meeting. The ordinance does include a sunset and expiration of fee clause. Ald. Petty questioned what the funds can be used for? What is considered transportation costs? Atty. Truman noted that while state statutes does not define transportation related purposes, case law has allowed for a very broad definition of transportation costs. The City could define what they consider transportation costs; however, she does not recommend we go that route. City Treasurer L. Laux explained that while we could make a unique revenue line, it would not be tied to unique expenditure lines. Ald. Sloan stated that this money is not going to streets; it's just going to be used to balance the budget. Motion by Sloan to recommend to Council to not approve this Ordinance. Motion fails for lack of second. Motion by Petty, seconded by Thurow to recommend to Council for action. Motion carried; 1 Nay, Sloan
- f) **Approve the Street Light System Charge Ordinance** Atty. Truman offered a draft ordinance that was modeled after the ordinance from Prairie du Sac. There are some slight changes regarding the financial aspects, how the payments are calculated. This ordinance also includes the sunset and expiration of fee clause. The goal with this ordinance is to recover of the amount charged to the City for having this light service. T. Pinion explained that this fee is similar to the Stormwater Utility charge in that all properties, including tax-exempt properties, will pay. Based on 12 months of costs to the City, all single and two family lots will pay 1x; all other improved lots will pay 2x. The costs to the City will include operational and maintenance costs for both the Alliant owned and the City owned poles. C. Haggard noted that this particular revenue source will have a separate fund and therefore matched with expenses. Motion by Sloan, seconded Thurow to recommend to Council for action. Motion carried unanimously.
- g) **Approve the Preliminary FY 2020 Budget** C. Haggard presented the preliminary budget and the changes since the last meeting. At this time, we still have a budget shortfall of \$31,450. Adm. Geick noted that the only new positions that are still in the budget are the library position and the Parks Facilities Manager, a position that would oversee the janitorial staff. Adm. Geick noted that the City currently needs additional maintenance and janitorial work. He also advised that if they decide to eliminate this position, they should consider leaving some funds available for needed contracted services. Motion by Sloan, seconded by Thurow to recommend Council approve the preliminary budget with the elimination of the Facilities Manager; all excess funds used for contracted services. It is also recommended that the debt savings of \$15,283 be paid to the Utilities. Motion carried unanimously.
- h) **Approve a Resolution Authorizing the Issuance and Sale of \$1,255,000 Taxable General Obligation Refunding Bonds, Series 2019A.** Dawn Gunderson from Ehlers presented the results of today's bond issuance sale and noted that Moody's did affirm our Aa3 rating. A total of 8 bids were received with the low bid of 2.3486% coming from Piper Jaffray & Co. The original amount of the bonds was \$1,255,000 but because the costs of issuance was lower than expected, we were able to

decrease the final bond amount to \$1,240,000. Motion by Sloan, seconded by Thurow to recommend to Council for action. Motion carried unanimously.

Informational Items

City Attorney's report on insurance claims – None.

Adjournment – Moved by Sloan, seconded by Thurow and carried to adjourn at 6:47pm.

BARABOO BUSINESS IMPROVEMENT DISTRICT (BID)

October 16, 2019

BOARD OF DIRECTOR'S MEETING

Members Present: S. Fay, N. Marklein Bacher, S. Byberg, B. Stelling, T. Sloan, H. Kierzek

Members Absent: T. Wickus, L. Steffes, S. Brunker

Others Noticed: Ed Geick

Call to Order: Sarah Fay presided over the meeting, called it to order at 5:45 PM and noted compliance with the Open Meeting Law.

Meeting Minutes:

Moved by Byberg, seconded by Stelling and unanimously carried to approve the minutes of September 18, 2019.

Agenda: Moved by Stelling, seconded by Kierzek and unanimously carried to approve the agenda as published.

Reports of Officers and Committees

President:

- Email went out to building owners to solicit interest in Lacey Steffes's soon-to-be-vacant seat. President will gauge interest and make a recommendation to the Mayor.

Appearance:

- Baskets were taken down after frost; Boy Scouts will do garland on light poles as a service activity.

Old Business:

- Subcommittees for the Branding Initiative have been meeting and proceeding with brand implementation.

New Business:

- Vouchers:

City of Baraboo - Insurance/Office Supplies	\$	636.17
Franz Landscaping – Fall Planters (Appearances)		645.00
DBI – Christmas Advertising/Light Parade & Admin Coord.		8,000.00
Support (Promotions)		

Willie Deppe – Watering & flower removal & delivery (Appearances)		<u>796.08</u>
TOTAL:		\$ 10,077.25

Moved by Byberg, seconded by Sloan to approve vouchers and unanimously carried.

- Next Meeting:** Wednesday, November 20, 2019 at 5:45pm, Committee Room #205.

Adjournment: Moved by Stelling, seconded by Kierzek to adjourn at approximately 6:01 p.m.

Minutes of the Public Safety Committee Meeting

September 30, 2019

Members Present: Phil Wedekind and Tom Kolb, and Mike Plautz. **Others Present:** Tom Pinion, Administrator Geick, Mayor Palm, Police Chief Mark Schauf, Fire Chief Kevin Stieve, Attorney Emily Truman, Wade Peterson, Tony Gilman, Peter Vedro, Brandon Beard, Brad Allen, and Kris Jackson.

Call to Order - Committee Chairman Phil Wedekind called the meeting to order at 1:00 P.M. at Baraboo City Service Center. Compliance with the Open Meeting Law was noted. Wedekind requested that Item h, the request of Brandon Beard be moved to the beginning of the agenda. It was moved by Kolb, seconded by Plautz to approve the agenda with the requested change. Motion carried unanimously. It was moved by Plautz, seconded by Kolb to approve the minutes of the August 23, 2019 meeting. Motion carried unanimously.

New Business

- a. Review property owner's proposal to improve drainage from his property at 611 5th Street – Brandon Beard addressed the Committee saying that he is trying to get more of the water out of his yard and he cannot get answers from Tom Pinion and would like to get something done by fall. He said that he could not lower his yard to match the City sidewalk. He said that he was denied having crushed asphalt being put in his driveway. He said he was trying to figure out why. He said that the ordinance does not state that it cannot be done; he feels that the ordinance states that it can be done. He said that the ordinance states that paved asphalt, concrete, or some other track-free, dust-free material. He said that crushed asphalt is track-free, dust-free material. Beard presented a sample of crushed asphalt to the Committee saying that this was in fact dust-free. He said he is trying to use a recycled product that goes along with the ordinance, but someone is telling him he cannot use it. Kolb said that Beard called him and he told him that he was unsure how this met City standards. He said he did not know whether it was impervious or acceptable. He explained that since the last meeting, Pinion took him to Beard's property to look at it. Pinion said at the July meeting Beard attended and wanted to City to participate in helping solve his drainage problem, something that the City does not ordinarily do on private property. He said at the Committee's direction and in an effort to try to solve that we agreed to lower the sidewalk, as long as it would provide improved drainage. He said that he spent a fair amount of time there surveying to try to determine whether the \$1,200 that the City was thinking about spending would in fact solve the problem. Pinion gave a detailed presentation saying that is a total of 150 feet from street to alley. He said that drainage could be provided through here, but only if Beard's driveway is re-graded. He presented the Committee with two different proposals to regrade the driveway in an effort to improvement drainage as much as they could on private property and still shed the water the way Beard hoped it would. He said he met with Beard on September 19 and that point it seemed apparent that they were at an impasse. Beard was asking him to make sure the sidewalk was lowered and Pinion told him that it would not be lowered until he sent him a detailed description of what his was proposing to do to help solve the problem along with a schedule. Beard had asked Pinion if he could put the driveway in something other than a paved surface but he was told no because the ordinance requires a paved surface, which is either concrete, or asphalt. He then asked about crushed asphalt and he was told that this nothing other than a paved surface has been allowed in the prior 9 years. Pinion explained that the driveway ordinance is pretty clear – it requires a paved surface unless some other material is approved by the City Engineer and that he is not about to approve anything other than what has been approved in the past and set a new precedent. He said that if any property owner is unsatisfied with that City Engineer's determination there is an appeal process in that ordinance. He said that ordinance states that the appeal needs to be presented to the PSC within 10 days of the time that the decision was made. Today is day 11 and nothing was received formally in writing. Pinion said that Beard did put together something for the Mayor in an e-ail; however, he was not specific about making an appeal, so he is not sure if Beard has grounds to request any material other than a paved surface. Pinion said the water drains to the low spot in Beard's yard, so the yard could be raised by hauling in dirt and landscape to get it out toward the driveway; however, the driveway has to be regarded in order to get it to the lowered sidewalk. He said that there is no question that the driveway needs to be re-graded, which causes the need for a paved surface on that portion of it. Pinion said that he suggested that if the City were going to invest \$1,200 to lower the driveway, drain tile would be required to solve the problem in combination with the re-grading of the driveway. He said that when he met with Beard on the 19th and said if the off-site water in really the issue, then there is a way to solve that without messing with the driveway or the sidewalk. It could be solved with the addition of a very subtle berm along the alley where the ground is lower than the alley where Beard alleges that it flows onto his property. Beard then read the appeals process from the Ordinance to the Council saying that anyone wanting to appeal had to do so within 10 days to the Council. Beard then explained to the Committee what his existing driveway was and said that if he cannot put the crushed asphalt in then he would still like to get the sidewalk lowered so that he can get the water out because it comes and puddles in the middle of his yard. He

said he can adjust the grass line in between that, next to it; however to meet up to the sidewalk. He said it is not the problem of if he has to do this or not, he still needs to get the water out so he will adjust his yard to get it out if needed. He said he wanted to get this done before winter to avoid mud in his yard. Plautz asked Pinion why the crushed asphalt was not allowed and he answered that it is not a paved surface. Beard asked why. Pinion said the ordinance reads, under workmanship, all driveway entrances, approaches, parking areas should be paved. Entrances and approach paving shall be in accordance with requirements for sidewalk construction, which means concrete. Parking areas shall be paved with concrete, asphalt, (not crushed asphalt), or some other dust-free, track-free surface, approved in advance by the City Engineer. He said this requirement shall apply to new driveway construction, and driveways substantially removed and replaced after August 2009. Plautz asked Truman whether Beard could appeal this matter to the Committee. Truman stated that she is a little behind with this issue and has not read the Mayor's email, so procedurally she cannot say where the City is at with this. Kolb asked Beard if the e-mail to the Mayor was an appeal, and he answered kind of. The Mayor stated that he received the e-mail 24 hours out of a 3-1/2 hour surgery, and was not in any position to make any type of decisions. Pinion read the beginning of Section 8.09 Driveways, to put everything in context. An appeal to the Council can only be made if a Driveway Permit, which is only required for new driveways, is denied. Pinion explained that a driveway permit is not needed to rebuild a driveway. He said that it is confusing and he does not think that anyone can appeal the decision of the City Engineer or Public Safety Committee whether or not a certain material is acceptable. Kolb asked if the City is going to go along with the decision that we lower the sidewalk then Beard has to comply with the statutes. Pinion said that if he is just going to re-grade his yard and do nothing to the driveway, water is not going to get out of his yard. Pinion said that he has to re-grade the driveway to get it out of the yard, and that is a substantial alteration and what requires a paved surface, which is why Beard does not want to do it. Pinion said that it is expensive and he understands that. He said lowering the sidewalk, and only the sidewalk, does nothing to improve drainage. Beard said that if he does not adjust his driveway but adjusts his yard to meet up to it, how is that not a problem. He said he isn't even talking about the black top at this point, he is just trying to get the water out of his yard; he doesn't want to install a drain tile because he can't put gravel in his driveway which is required for drain tile to work as Pinion described since it is obviously going to freeze up. He said there is not enough angle to get a drain tile to flow decently in the wintertime and he will be back in at the same point as now. He said that there are eight properties that flood his yard from all three sides. Kolb said that Pinion said a berm could be built, Beard said that would block the other side of the alley, and only get a portion of the water. Beard said that the sidewalk was approved to be dropped; he is just trying to get it dropped so he can get his side of it done to meet up to it. Wedekind said it would require blacktop. Beard said if that is what he is made to do; however, he does not see why he cannot just adjust his yard. He said is driveway is two concrete strips. Pinion said that the City would be lowering the sidewalk 9 inches, so if that is the concrete tire tracks Beard is talking about he will not get over it, so something has to be done. Kolb asked Pinion about drain tile, Pinion said it isn't fool-proof; however, it is going to work 90-95% of the time, there is 2-1/2 feet of bury, frost will go down 4-feet in a road, but typically does not go down 4-feet in a yard. Beard said that the grass in between him could funnel it out 8 inches. Pinion said that when he met with Beard to discuss the situation, he did not say he intended to re-grade his. Pinion said that he asked Beard to follow up the meeting in an email and tell him what he was going to do and when. Pinion said that without and detailed description and a schedule of who is doing it and when, he was reluctant to lower the sidewalk. Beard said he would be doing the work personally but is waiting for the sidewalk to be lowered before he can start. Beard asked if he could at least get the sidewalk dropped as approved before. He said there were no conditions attached to the prior approval but now Pinion is coming up with more things for it. Wedekind feels a detailed description of what is being done is needed. Pinion said that maybe an agreement is needed so it is clear what each party is responsible is. Wedekind stated if Beard gets a detailed agreement to the City Engineer, and he approves it, the issue should not have to come before the Committee again. Beard asked about the blacktop. Gilman said that a granular material, like crushed asphalt, is not track-free and it still contains oil. Beard said the City might want to change their ruling on this; everyone is going to recycled materials. Truman suggested to make a motion to allow the City Engineer to enter into negotiations with Beard, and if the City Engineer is comfortable with it and gives approval. If the Engineer and Beard does not agree then we are back to where it is now, but Beard will have to follow the appeals process. It was moved

by Kolb, seconded by Plautz to allow the City Engineer to enter into an agreement with Brandon Beard. Motion carried unanimously.

- b. Declare existing tin building at 314 Depot Street to be Surplus Property and authorize its sale via an online auction – Gilman presented the background to the Committee. It was moved by Kolb, seconded by Plautz to declare the building at 314 Depot Street Surplus Property and authorize its sale via an online auction. Motion carried unanimously.
- c. Consideration of proposed revision to §25.10(i)(4) of the Baraboo Municipal Code pertaining to Bond Amounts for Animal at Large violations – Truman presented the background for this issue. It was moved by Kolb, seconded by Plautz to recommend the proposed revisions to §25.10(i)(4) to Council as presented. Motion carried unanimously.
- d. Consider extending Landfill Monitoring Contract with MSA through 2022 – Pinion presented the background. He said MSA has been doing this for a number of years. It was moved by Plautz, seconded by Kolb to renew the Contract with MSA through 2022. Motion carried unanimously.
- e. Review and prioritize list of prospective Street Improvement Projects for 2020/2021– Pinion said that at this time the Capital Plan shows \$750, 00 as a placeholder for the near future on an annual basis. He said if we do that through general obligation bonds, there is a hefty bond issuance cost. He said we borrow money for street improvements there is a three-year window to spend it. Pinion said that there are two impending grant opportunities for road projects. He then gave a detailed description of those grants to the Committee. Pinion said he would like the Committee to prioritize the streets they would like to see done. Canepa Street would be brand new curb and gutter and would be assessed. Pinion said that all other streets would be street reconstruction, not new streets. Kolb said his list included Mound Street, 13th Avenue, and Elizabeth Street, westerly half being the worst, and then Tuttle Street a close 2nd. Pinion felt that Draper, Elizabeth, and Madison would be good candidates for the impending grants. Pinion said that he would put the streets in a tentative list in rough order for budget and a final decision can be made at budget time.
- f. Review and prioritize list of Alley Projects for 2020 – Pinion presented the list of prospective alley candidates. He said the alley between Elizabeth & Camp that was just dedicated to the City is a one according to PASER rating. Pinion will put the prospective alleys in a tentative list for budget and a final decision can be made at that time.
- g. Review prospective Sidewalk Projects for 2020 – Pinion said new sidewalk is assessed and there is a limited amount in that account for assessable projects and that fund was all but depleted with all the new sidewalk on Lake Street and the one block on Elizabeth. He said that new sidewalk, if included with the 13th and Tuttle Street projects, would come out of that fund and the sidewalk would be done in conjunction with the roadway reconstruction. It was Kolb and Wedekind's preference to do the small infill projects. Wedekind would like to include Remington, from 2nd to 4th, for example.
- h. Discussion and possible recommendation to establish a local vehicle registration fee as an alternative revenue source to fund future street improvements – Pinion said that Council gave Staff a directive to initiate the process of creating a local vehicle registration fee as well as a streetlight utility. He said the local registration fee is for the Committee's consideration today, and next month the streetlight utility will be included with some of that background. He said it has not changed much from two or three years ago when it was updated. The potential there is approximately \$250,000 and if the City chooses to initiate it, it will not start being collected until 90 thereafter; therefore if it started January 1, we would only collect $\frac{3}{4}$ of the \$250,000. Kolb was hoping to be presented with all three proposals, vehicle registration, streetlight utility, and premier resort tax. Geick said that it would take 1 or 2 years to put the premiere resort tax together just for research and everything. Pinion said that this requires state legislation action. Plautz would have also liked to have all three proposals at once. Attorney Truman said that because a recommendation concerning the vehicle registration fee is the only item on the agenda, talking about anything beyond that, other than maybe making a motion to postpone this a month is outside of the scope that is on the agenda. Plautz presented comments from his

constituents regarding wheel tax. He went on to say that, everything seems to be hitting at the same time, wheel tax, library expansion, school expansion, etc. Plautz said that more funds would be generated from a resort tax rather than a wheel tax. Wedekind feels the City is responsible for the streets, not townships, etc. Kolb feels that this is more appropriate discussion for the Council, they asked the City to come up with information about the registration fee tax, he thinks it should be discussed with the full Council, not just the three members here. Kolb moved that this be moved to City Council without a positive recommendation. Wedekind seconded the motion. Plautz asked Geick if this a clearer picture could be given on resort tax at Council. Geick said that would not give him enough time, and Truman said that this would be outside the scope of the actual motion, making a motion to recommend on anything else is contrary to that. Motion carried 2 to 1, Plautz voting no.

Informational Items

- a. Discuss revising Section 7.09(3)(f)(1) of the Traffic Code to convert the 8-hour parking stalls on the south side of 4th Avenue between Broadway and Birch Street to 2-hour stalls – Truman said that Peter Vedro was in attendance on behalf of the County and they asked that this be postponed one month because they would like to participate in the discussion. It was the consensus to postpone for one month.
- b. Discussion of the creation of an ordinance prohibiting fishing from bridges within the City limits – Kolb said that if the City was looking at making the river a recreational area, would it be dangerous to be throwing hooks and such over the bridge. Schauf said based on the question asked the first question is safety versus pedestrian standing on the side of roadway. If there were a sidewalk that a person could be standing on, that would preclude any of the other safety issues, there is not a sidewalk on one portion of the bridge on Manchester, which could be a safety issue. The second portion of that is fishing hooks over the bridge with recreational. He said previously the City of Wisconsin Dells had an issue with their backwaters where all their City boat docks are, and the problem was that the fishing line was getting wrapped around propellers and causing damage to the boats. He reached out to the DNR to see if there were any other places having problem, but he has not heard back from them. It was the consensus to postpone this discussion until more data is obtained.
- c. Discuss the need for Public Safety Committee's review of Special Event Permits for recurring annual events that contain no changes from the prior year's event – Truman said that the City updated their Special Ordinance about one year ago; however, one thing that did not change in the ordinance was the need for road closures to come to Public Safety for approval, however, there was some confusion about whether or not if it was an identical event from the years past, literally no other changes whether or not the Committee would want to review it and give approval, or whether the Committee would want it to be handled at the staff level. Wedekind and Plautz said that they would want to review them. Pinion asked if they wanted to review all of them, he said that the two Fair On The Square events have not been to the Committee in the nine years that he has been here. He said he feels that the questions came from Foo Fest and that this year was the third consecutive year for that event and the application did not make any change from last year's application. It was the consensus if there are no changes from previous years' events, staff could approve the applications administratively.

Reports

- a. Utility Superintendent's Report – Peterson said number one goal is to wrap up the budget. Both water and sewer budget have some large expenditures. He said there would be no water increase. He said he is working to put something together on the sewer side, an increase will be seen. It was stated that the budgeted will be presented at Council the 2nd meeting in October, and it will go to Public Hearing the last meeting in November.
- b. Street Superintendent's Report – Gilman said the department is winding down on storm sewers and other repairs. He said all alleys are completed; 4th Street parking lot was paved last week. He said that the department is in the 60-70% complete on catch basins; however, he has not tallied them up yet.
- c. Police Chief's Report – Schauf said his department is also working on budget. He said the Department had an incident over the weekend involving a gun, unfortunately he feels that is the kind of stuff that will be seen coming into the future.

- d. Fire Chief's Report – Stieve said the hiring process, they had seven applicants, six of them completed the physical ability test and all passed; four passed interview process, one being hired now. He said one applicant is still being considered, she is on a neighboring department, and another applicant is on hold as she completes other things in life. He said the Department did a helicopter rescue, along with Wisconsin National Guard at Devil's Lake over the weekend. He said last evening they received a call for a structure fire on Grove Street, this being the first use of Auto Aid with Delton, and the process worked great. Stieve gave accommodation to Brad Allen of the Baraboo News for the story he did on recruitment. He said that there are five student in the High School Academy. Stieve said that he is working on budget and looking at possibly renting out part of the 135 4th Street building. He said that he is working with Public Works Department working in the basement of the 4th Street building.

ADJOURNMENT – It was moved by Kolb, seconded by Plautz to adjourn at 2:31 p.m. Motion carried.

- **Copies of these meeting minutes are on file in the Clerk's office:**

Airport	10-16-19	Plan Commission	10-15-19
Public Arts	9-19-19, 10-24-19	PFC	9-16-19, 9-19-19
CDA	9-30-19	Library	10-15-19
Ambulance	8-21-19, 8-28-19, 9-16-19, 9-25-19		

- **Petitions & Correspondence Being Referred:**

Public Hearing Notice, 2020 Budget
 Holiday Party Invitation from Sauk County Supervisors

ADJOURNMENT

Moved by Kolb, seconded by Wedekind, and carried on voice vote, that the meeting adjourn at 7:50pm.

Brenda Zeman, City Clerk